

Post-Project Approval Check List

Once you have your EECBG project approved by the Maryland Energy Administration (MEA), as documented by a signed copy of the *Project Approval Form (Attachment E)*, you can proceed with the implementation of your energy efficiency or renewable energy project.

Outlined below is a check list of the steps needed to complete the process:

I. Procuring Products and Services

<input type="checkbox"/>	<p>A. Determine the Appropriate Procurement Process Option for your Project</p> <p>Option 1: Existing, Competitively Bid Government Procurement Process</p> <p>If a contract has previously been competitively bid using a formal government procurement process (for instance, a long term HVAC support contract or an indefinite delivery energy performance contract (EPC)) for services similar to those required under the EECBG program, you can leverage the existing contract without issuing another procurement as long as your contractor agrees to comply with Davis-Bacon labor and wage requirements and Buy American requirements for all iron, steel, and manufactured goods. (<i>If you are leveraging Option 1, proceed to step I. D.</i>)</p> <p>Option 2: Formalized State/Local Procurement Process</p> <p>If a sub-grantee has a formalized procurement process (i.e. written procurement procedures that reflect applicable State and local laws and regulations), you should complete the EECBG procurement following your formalized procurement process.</p> <p>In addition to following the sub-grantee's formalized procurement procedures, the sub-grantee must also comply with the following requirements:</p> <ul style="list-style-type: none"> • Solicit and take actions to encourage bids from Minority Business Enterprises (MBE) and Disadvantaged Business Enterprises (DBEs)¹ whenever they are potential sources, in addition to any existing customer bidders lists already established by your local government. In Maryland, a list of MBE and DBE qualified contractors is maintained on the Maryland Department of Transportation website at http://mbe.mdot.state.md.us/directory/search_select.asp. • Ensure that your contractor complies with applicable Davis-Bacon labor and wage requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Davis-Bacon requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Davis-Bacon requirements can be found in Sections 11 and 12 of the revised Attachment D (July 2010) from the sub-grantee's EECBG grant agreement. Davis-Bacon labor rates for Maryland can be found in Appendix A of this document. Additional guidance on Davis-Bacon is available at http://www.energy.state.md.us/EECBG.asp. • Ensure that all iron, steel, and manufactured goods purchased under the EECBG sub-grant comply with Buy American requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Buy American
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requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Buy American requirements can be found in the revised Attachment D (July 2010), Section 10 of the of the sub-grantee's EECBG grant agreement. Please note that there are waivers to Buy American requirements for electronic ballasts, LED traffic lights, and CFLs, as well as a *de minimis* waiver (of up to 5% of the total equipment and materials costs) for low value items being purchased under the EECBG program. Additional information, including details on the Buy American waivers, can be found on MEA's EECBG website at <http://www.energy.state.md.us/EECBG.asp>.

- Ensure that all waste generated through an EECBG sub-grant is disposed of in a manner consistent with the waste management disposal process outlined in Attachment B of your EECBG sub-grant. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including waste management requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant.

Option 3: Federal Procurement Regulations Process

If a sub-grantee does not have a formalized procurement process, the sub-grantee is required to follow federal procurement regulations.

- *If the total contract will not cost more than \$100,000*, the U.S. Department of Energy (DOE) allows "*small purchase procedures*" to be used. *Small purchase procedures* are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$100,000. *Small purchase procedures* require price or rate quotations to be obtained from an adequate number of qualified sources. To obtain quotes from an adequate number of qualified sources, MEA recommends soliciting bids from at least three (3) companies.
- *If the total contract is for \$100,000 or more*, DOE allows the following procurement processes to be used:
 - *Sealed bids* (formal advertising) are publicly solicited and a firm fixed-price contract is awarded to the bidder whose bid meets the terms and conditions of the invitation for bids and is the lowest in price.
 - *Procurement by competitive proposals* is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded.

For all sub-grantee procurements occurring following Option 3, the sub-grantee must also comply with the following requirements:

- Solicit and take actions to encourage bids from [Minority Business Enterprises \(MBE\)](#) and [Disadvantaged Business Enterprises \(DBEs\)](#)¹ whenever they are potential sources, in addition to any existing customer bidders lists already established by your local government. In Maryland, a list of MBE and DBE qualified contractors is maintained on the Maryland Department of Transportation website at http://mbe.mdod.state.md.us/directory/search_select.asp.
- Ensure that your contractor complies with applicable Davis-Bacon labor and wage requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Davis-Bacon requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Davis-Bacon requirements can be found in Sections 11 and 12 of the revised Attachment D (July 2010) from the sub-grantee's EECBG grant agreement. Davis-Bacon labor rates for Maryland can be found in Appendix A of this document. Additional guidance on Davis-Bacon is available at <http://www.energy.state.md.us/EECBG.asp>.
- Ensure that iron, steel, and manufactured goods purchased under the EECBG sub-grant comply with Buy American requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Buy American requirements, to all vendors and contractors receiving contracts through an EECBG sub-

	<p>grant. Buy American requirements can be found in the revised Attachment D (July 2010), Section 10 of the of the sub-grantee's EECBG grant agreement. Please note that there are waivers to Buy American requirements for electronic ballasts, LED traffic lights, and CFLs, as well as a <i>de minimis</i> waiver (of up to 5% of the total equipment and materials costs) for low value items being purchased under the EECBG program. Additional information, including details on the Buy American waivers, can be found on MEA's EECBG website at http://www.energy.state.md.us/EECBG.asp.</p> <ul style="list-style-type: none"> • Ensure that all waste generated through an EECBG sub-grant is disposed of in a manner consistent with the waste management disposal process outlined in Attachment B of your EECBG sub-grant. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including waste management requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant.
<input type="checkbox"/>	<p>B. Draft an RFP</p> <p>If you are using a procurement method outlined in Option 2 or Option 3 from step 1a, you will now draft and release a request for proposal (RFP).</p> <p>Per the terms of the grant agreement, sub-grantees should include the revised Attachment D (July 2010) from your EECBG grant agreement (<i>ARRA Addendum- Special Terms and Conditions for ARRA-Funded EECBG Grants</i>) in the procurement document in order to ensure that all vendors and contractors bidding on an ARRA funded project understand the ARRA requirements, including Davis-Bacon and Buy American, as they develop their bids.</p>
<input type="checkbox"/>	<p>C. Conduct and Document Bid Review</p> <p>Select the winning contractor.</p>
<input type="checkbox"/>	<p>D. Develop a Procurement Contract with the Winning Contractor</p> <p>The contract must include:</p> <ul style="list-style-type: none"> • A clear and accurate description of the technical requirements for the material, product, or service to be procured. • Pricing for materials, components, labor and other cost elements. • Requirements for completing waste management disposal plan, Part 2 of the waste management disposal form¹. • The revised Attachment D (July 2010) from your EECBG grant agreement (<i>ARRA Addendum- Special Terms and Conditions for ARRA-Funded EECBG Grants</i>). The requirements for meeting the <i>Davis Bacon</i> and <i>Buy American</i> requirements, as well as all other ARRA requirements, are included in this document. • Any other procurement and contractual provisions specific to the Sub-grantee.

¹ For more information, see <http://www.energy.state.md.us/EECBG.asp>

II. Proceeding with Installation

<input type="checkbox"/>	<p>A. Execute Project</p> <p>After the contract has been executed with your contractor and relevant requirements have been met, execute your project.</p>
<input type="checkbox"/>	<p>B. Submit Weekly Timesheets to MEA</p> <p>Contractors and subcontractors are required to maintain and mail paper timesheets to MEA on a weekly basis.</p> <ul style="list-style-type: none">• Sub-grantees may collect timesheets from contractors and subcontractors and submit to MEA, so long as submissions are done on a weekly basis.• MEA recommends using the U.S. Department of Labor (DOL) Payroll Form, attached to this document as Appendix B, for Davis-Bacon payroll submission.<ul style="list-style-type: none">◦ The payroll form can be also be downloaded electronically at http://www.dol.gov/whd/forms/wh347.pdf .
<input type="checkbox"/>	<p>C. Buy American Products</p> <p>EECBG projects are required to use iron, steel, and manufactured goods produced in the United States.</p> <ul style="list-style-type: none">• Sub-grantees should require their contractors to provide documentation to them that all iron, steel, and manufactured goods are produced in the U.S.• MEA has created a <i>Buy American Certification</i> form, attached to this agreement as Appendix C, that Sub-grantees (or their contractors) can use to certify Buy American compliance.• <i>Buy American</i> certification forms should be submitted to MEA.
<input type="checkbox"/>	<p>D. Submit Monthly Status Reports to MEA</p> <p>While your project is being installed, you will need to submit <i>Monthly Status Reports</i> to MEA using the monthly report form (Attachment F in your EECBG grant agreement).</p>

III. Invoicing MEA

<input type="checkbox"/>	<p>A. Submit Invoice to MEA</p> <p>Once work is completed, you may invoice MEA for reimbursement.</p> <ul style="list-style-type: none">• Invoices should come to MEA from the sub-grantee.• MEA is unable to process invoices sent directly to MEA by a sub-grantee's contractor.
<input type="checkbox"/>	<p>B. Develop Waste Management Plan</p> <p>Along with the invoice, you will also need to provide MEA with:</p> <ul style="list-style-type: none">• The <i>Waste Management Template, Part 2</i> (Attachment B, Part 2 of the grant agreement) showing where you project waste were finally disposed,• The last <i>Monthly Status Report</i>, if you have not already submitted this information to MEA and,• <i>Buy American</i> certification forms that have not already been submitted to MEA (Appendix C).

Appendix A

Davis Bacon Wages for Maryland Counties

MARYLAND May 7, 2010 County/ Borough	WD #	Laborer		Batt, Blown, Foam Insulator (Insulator, Carpenter, Laborer)		Carpenter		Electrician (Other % FB is % of Hourly Wage Rate)			Plumber			HVAC Pipe Installation (HVAC Technician, Plumber, Pipefitter)			HVAC Duct Installation (HVAC Technician, Sheet Metal Worker)	
		Wage	Fringe	Wage	Fringe	Wage	Fringe	Wage	Fringe	Other	Wage	Fringe	Other	Wage	Fringe	Other	Wage	Fringe
Allegany	MD-16	\$11.14	\$0.00			\$18.05	\$6.39	\$27.90	\$14.26	\$0.00	\$28.38	\$10.63	\$0.00	\$17.50	\$2.49		\$18.34	\$5.44
Anne Arundel	MD-18	\$11.15	\$0.00	\$11.88	\$0.50	\$16.33	\$0.31	\$23.49	\$0.81		\$22.63	\$0.60		\$36.87	\$15.47	9 Pd Holidays	\$15.62	\$1.20
Baltimore	MD-19	\$11.76	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$18.00	\$0.00	\$0.00	\$36.22	\$14.80		\$15.67	\$1.20
Baltimore City	MD-20	\$11.65	\$0.00	\$11.88	\$0.50	\$16.50	\$5.29	\$24.97	\$0.81		\$24.36	\$0.00		\$36.22	\$14.80		\$15.62	\$1.20
Calvert	MD-22	\$12.11	\$2.18			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$7.99	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Caroline	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Carroll	MD-25	\$11.23	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Cecil	MD-54	\$10.11	\$0.00	\$11.88	\$0.50	\$14.70	\$0.00	\$23.49	\$0.81		\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Charles	MD-55	\$12.11	\$2.18			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$9.36	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Dorchester	MD-4	\$10.12	\$0.00			\$15.79	\$1.20										\$28.45	\$14.39
Frederick	MD-83	\$12.11	\$2.18			\$24.09	\$9.90	\$33.50	\$12.55	5.25%	\$36.22	\$14.80	\$0.00	\$36.22	\$14.80		\$28.45	\$14.39
Garrett	MD-5	\$10.00	\$0.00			\$15.91	\$0.00											
Harford	MD-87	\$11.23	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Howard	MD-87	\$11.23	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Kent	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Montgomery	MD-84	\$11.50	\$2.01			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$9.36	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Prince George's	MD-85	\$12.85	\$2.53			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$9.36	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Queen Anne's	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Somerset	MD-88	\$12.14	\$2.00			\$23.53	\$14.09	\$22.50	\$10.20	5.00%	\$32.33	\$11.64	\$0.00	\$32.33	\$11.64		\$28.45	\$14.39
St. Mary's	MD-11	\$11.96	\$0.00			\$16.90	\$2.29										\$34.04	\$12.76
Talbot	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Washington	MD-86	\$11.14	\$0.00			\$18.05	\$6.39	\$27.90	\$14.26	\$0.00	\$36.22	\$14.80	\$0.00	\$17.50	\$2.49		\$18.34	\$5.44

Davis Bacon Certified Payroll Form (Page 1 of 2)

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Appendix B (continued)

Davis Bacon Certified Payroll Form (Page 2 of 2)

Date _____

I, _____ (Name of Signatory Party) _____ (Title)
do hereby state:

(1) That I pay or supervise the payment of the persons employed by _____ (Contractor or Subcontractor) _____ on the _____ (Building or Work) _____; that during the payroll period commencing on the _____ day of _____, and ending the _____ day of _____, all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ (Contractor or Subcontractor) _____ from the full weekly wages earned by any person and that no deductions have been made either directly or indirectly from the wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. 52.3), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967, 78 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

☐ In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

☐ Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE _____ SIGNATURE _____

THE WILFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

Appendix C

Buy American Certification Form

Buy American Certification

This certification is to be used by Maryland Energy Administration EECBG Grantees to obtain from each of their vendors (including contractors, subcontractors, suppliers, distributors) a certification that the vendor is in compliance with the Buy American provisions of the American Recovery and Reinvestment Act of 2009 (ARRA). Grantees should make copies of this certification form and have a representative of each vendor complete and sign the form. Vendors should also attach (if available) receipts and/or other documentation with this form showing evidence of Buy American compliance. Return completed and signed forms to the Maryland Energy Administration, Attn: EECBG Grant Program – Buy American Certification, 60 West Street, Suite 300, Annapolis, MD 21140. For more information, refer to the attached Buy American Frequently Asked Questions and Answers.

_____ I hereby certify that all of the iron, steel and manufactured goods supplied or provided by me or my company for use on this project for the construction, alteration, maintenance, or repair of a public building or public work was produced in the United States of America, unless a United States Department of Energy exception or waiver applies.

_____ I am relying on the following Buy American exceptions and/or waivers (check all that apply):

___ Iron, steel and manufactured goods supplied/provided by me equal no more than 5% of the total cost of the iron, steel and manufactured goods used in and incorporated into this project.

___ I am supplying or providing a good(s) deemed by the United States Department of Energy to be not produced or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality (list good(s) below).

Project Description/Goods and Services Provided By Vendor

Vendor Name

Vendor Authorized Representative Signature

Date

Vendor Authorized Representative Printed Name